



FILED

SEP 27 2019

OKLAHOMA SECRETARY
OF STATE

J. Kevin Stitt
Office of the Governor
State of Oklahoma

**EXECUTIVE DEPARTMENT
EXECUTIVE ORDER 2019-41**

Whereas, on Saturday, September 14, 2019, riotous behavior involving approximately 150 to 200 inmates in one Oklahoma prison was initiated by inmate gang leaders and gang members and spread to five additional Oklahoma prisons nearly simultaneously during the afternoon of Sunday, September 15, 2019, facilitated by communication between inmates through the use of contraband cellphones resulting in all prisons in the system being placed on lockdown; and

Whereas, at this time compelling evidence exists that riotous behavior may resume when the current state-wide lockdown is lifted; and

Whereas, the proliferation of contraband cellphones in Oklahoma prisons constitutes an ongoing, serious, and eminent public safety threat; and

Whereas, contraband cellphones are used to facilitate criminal activity in and out of prisons including initiating and spreading riotous behavior within and across multiple prisons; and

Whereas, the targets of a significant number of wire intercepts sought by State law enforcement agents and approved by judges are inmates in state prisons using contraband cellphones to engage in criminal activity, often as part of complex criminal organizations; and

Whereas, the wire intercepts of inmate conversations on contraband cellphones often capture evidence of crimes ranging from drug trafficking to fraud to conspiracy to commit murder; and

Whereas, despite considerable effort by the Oklahoma Department of Corrections to prevent cellphones from entering facilities and to confiscate contraband cellphones found in facilities the threat these devices pose persists unabated; and

Whereas, the considerable efforts of the executive, legislative and judicial branches of government continue to be inadequate to stop or even curtail the overwhelming challenge and significant threat of contraband cellphones; and

Whereas, technologies exists that are capable of mitigating the public safety threat posed by contraband cellphones;

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Now therefore, I, J. Kevin Stitt, Governor of the State of Oklahoma, pursuant to the power and authority vested in me by Sections 1 and 2 of Article VI of the Oklahoma Constitution, hereby order the Oklahoma Secretary of Public Safety, the Oklahoma Secretary of Digital Transformation and Administration, and the Oklahoma Department of Corrections to immediately undertake all necessary efforts to research and explore the availability, benefits, costs, practicality, efficacy, liability, and legality of all technology solutions capable of mitigating in whole or in part, to the greatest extent possible, the public safety threat of contraband cellphones in Oklahoma prisons and correctional facilities including geo-location systems, cellphone jammers, micro cellphone jammers, controlled access systems and hybrid systems; and

I further order the Department to acquire the technology or technologies determined by the secretaries and the Department to be the most cost-effective deterrents to contraband cellphones and, as necessary, to actively seek and obtain all legal authorizations required for the use of any technologies requiring the same, and to deploy such technology solutions in those facilities or parts of facilities identified by the Department as necessary to accomplish the purpose of this Executive Order; and

I further order the secretaries and the Department to work with Oklahoma's Congressional delegation and Federal agencies as necessary to determine what actions are being taken by the Federal government in Federal correctional facilities to eliminate this crisis of contraband cellphones; and

I further order the secretaries and the Department to research the liability of cellphone service companies that provide cellphone service to or for contraband cellphones and develop a plan to hold those companies accountable; and

I further order the secretaries and the Department to proceed with utmost urgency, consistent with all applicable laws and the public safety and welfare of Oklahoma citizens; and

I further order that the secretaries and the Department regularly report to me on the progress of carrying out the requirements of this Executive Order, including on the identification, acquisition and use of technology to mitigate the threat posed by contraband cellphones, and any obstacles to acquiring and using the necessary technology or technologies.

This Executive Order shall be distributed to the Secretaries of Public Safety, and Digital Transformation and Administration, and the Interim Director of the Oklahoma Department of Corrections, who shall cause the provisions of this Order to be implemented forthwith.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City this 27th day of September, 2019.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA



J. Kevin Stitt

ATTEST:

Michael Rogers SECRETARY OF STATE

